IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 1053 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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AZIMBHAI RASULBHAI SINDHI
Versus
STATE OF GUJARAT AND OTHERS

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Appearance :
MR SHAKEEL A QURESHI for Applicant.
MS MEETA PANCHAL, APP for Respondent No.1.
RULE SERVED for Respondent Nos. 2 - 4.

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CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 12/06/2007

ORAL JUDGMENT

In view of the statements and averments made in the affidavit in reply of Mr.I.A.Saiyed, C.P.I., Kheralu, District Mehsana and in view of the statement that an investigation report was already filed in the trial

Court and that it is also accepted by the Court after hearing the original complainant, the petition was not pressed for any relief at this stage with a view to adopting appropriate course of action and with liberty to challenge the order accepting the investigation report, as also to launch or prosecute any other proceeding, including Civil Suit for compensation, in respect of death of Usmanbhai, the brother of the petitioner. Accordingly, the petition is disposed as not pressed and Rule is discharged with no order as to costs.

It is needless to clarify that the petition is disposed without entering into merits of the contentions raised by the petitioner and disposal of the present petition shall not in any way be prejudicial to the petitioner in any other proceeding.

(D.H.Waghela, J.)

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